From: <u>Greczmiel, Horst</u>

To: Robert Bonnie; Meryl Harrell; patrick.holmes@osec.usda.gov; Cal Joyner; Jim Upchurch; "Zepeda, Gilbert -FS";

"Higgins, Jeanne M -FS"; "Daniels, Janine -FS"; Patel-Weynand, Toral -FS; Ann Acheson - CEQ; Joe Carbone; Kopocis, Ken; Bromm, Susan; Rader, Cliff; Kaiser, Russell; Blumenfeld, Jared; Ryerson.Teddy; Goforth, Kathleen; Dunning, Connell; Hanf, Lisa; Brush, Jason; Martynowicz, Trina; Gaudario, Abigail; Diamond, Jane; "Blaine, Marjorie E SPL"; Castanon, David J SPL; Meg.E.Gaffney-Smith@usace.army.mil; Chip Smith; Dave Sire; "Edwin Roberson"; "Raymond Suazo"; Deborah Rawhouser; "June Shoemaker"; jean_calhoun@fws.gov

Cc: Patel, Manisha; Crook, Lowry

Subject: Friday Rosemont Call 3pm eastern

Date: Thursday, March 13, 2014 1:22:16 PM

Attachments: Tucson Metro Chamber Letter 4Mar2014.pdf

AZ St Bldg & Construc Trades Conuncil Ltr Undated.pdf
UA Local Uniton 469 Rosemont Letter undated.pdf
Community Water Company Letter 24Feb2014.pdf

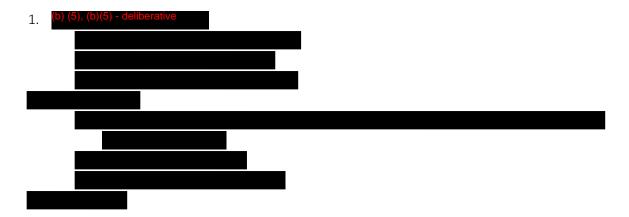
EPA RM Conversation 6Mar2014.docx

Gov Brewer Ltr to Kimberly Colloton 4Mar2014.pdf

Greetings,

The regular Friday call will take place tomorrow, 14 March, using the call-in number: (b) (6)

Agenda:



Horst Greczmiel Associate Director for NEPA Oversight Council on Environmental Quality





465 W St. Mary's Rd. PO Box 991 Tucson, AZ 85702 P 520-792-1212 F 520-882-5704 TucsonChamber.org

Col. Kimberly M. Colloton, PMP U.S. Army Corps of Engineers 915 Wilshire Blvd. Los Angeles, CA

Dear Col. Colloton,

March 4, 2014

I am writing on behalf of the 1,450 business investors in the Tucson Metro Chamber and the 110,000 employees those companies represent. We are grateful for the hard work your agency has devoted to the Rosemont Copper Project in Arizona. The Corps of Engineers has played an extensive and important role in this process, guiding the Final Environmental Impact Statement (FEIS) process and managing the 404 permitting process under the Clean Water Act.

Since the original application and the subsequent public notice for this project by the Corps in December 2011, the permitting process has continued to evolve. This evolution has taken time, and as the largest business organization in Southern Arizona, we are naturally concerned when unnecessary regulatory delays in the permitting and environmental review process prevent good projects from proceeding so they can bring economic strength and jobs to our community. We understand the Corps is pushing the process forward and we appreciate that approach.

From our perspective, it seems that Rosemont Copper, regulatory agencies, tribes, conservation groups and the community have collaborated to identify the best possible plan for Rosemont. Rosemont will provide 10% of the nation's copper production. Producing copper domestically is something in the public's best interest. It is far better to have our natural resources "Made in the USA" rather than on foreign soil. We are impressed with Rosemont's approach to land and water conservation.

As a business organization, we await Rosemont's anticipated employment of almost 2,000 workers for two years during construction, 450 direct employees for mine operations and more than 1,700 indirect jobs. These jobs are expected to produce a \$3.3 billion increase in personal income over the 20-year life of the mine. The project will put Arizonans to work with above average compensation levels.

The Tucson Metro Chamber commends you and your colleagues for your commitment to a thorough, credible permitting process. We urge you to continue working through the permitting process expeditiously and that you find, as we did, that Rosemont provides a unique opportunity to provide a large public benefit while mitigating impacts.

Sincerely,

Michael V. Varney President & CEO



AZ STATE BUILDING AND CONSTRUCTION TRADES COUNCIL

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATION



3117 NORTH 16TH STREET • SUITE 120 • PHOENIX, AZ 85016 • PHONE: 480-275-4553 • FAX: 480-275-4751

Colonel Kimberly M. Colloton, PMP Los Angeles District U.S. Army Corps of Engineers 915 Wilshire Blvd. Los Angeles, CA 90017

Dear Colonel Colloton:

On behalf of the Arizona Building and Construction Trades Council (AZBTC) – a labor organization comprised of 17 affiliate construction trade organizations representing more than 11,000 construction workers in Arizona – the proposed Rosemont Copper project greatly benefits the public interest because of its extensive economic impact on the Arizona and national economy.

During the mine's first 20 years, 2,100 annual direct and indirect jobs would be supported locally, with another 800 positions supported at the state level and another 1,300 national jobs supported. The project will have an annual economic impact of \$701 million to southern Arizona, a \$900 million impact to the state of Arizona and \$1.3 billion impact to the United States. When in production, the mine will account for about 10 percent of U.S. copper production.

This project will serve the public interest by training crafts men and women who will fill future indemand construction jobs.

AZBTC apprenticeship programs are the best in the state, spending on average \$5.1 million per year on their privately funded apprenticeship-training programs. On average, an AZBTC apprenticeship program consists of 6,281 hours of on-the-job training and 580 hours of classroom instruction. Some trades are more demanding, requiring their apprentices to complete more than 8,000 hours of on-the-job training and 900 hours of classroom instruction. In the case of the AZBTC, we believe top-notch classroom instruction is a necessary investment in our apprentices because we pride ourselves on having the safest, best trained workforce in the state.

Rosemont now awaits the 404 permit from the Corps of Engineers. After a rigorous 6-year public review process, it is time to move forward.

Sincerely,

Martin "Buzz" Murphy

Marti Borze Murph

President

Arizona Building and Construction Trades Council



U.A. LOCAL UNION 469

3109 N. 24th Street • Phoenix, AZ 85016-7399 • 602-956-9350 • Fax 602-956-9782 Web Site: www.ualocal469.org

Colonel Kimberly M. Colloton, PMP Los Angeles District U.S. Army Corps of Engineers 915 Wilshire Blvd. Los Angeles, CA 90017

Dear Colonel Colloton:

The members of Arizona Pipe Trades Local 469, a union of more than 3,000 crafts men and women in the plumbing and pipefitting industry, believe the Rosemont Copper project serves the public interest because it will create high-quality jobs and have a positive economic impact in Arizona and across the country.

During the mine's first 20 years, 2,900 annual direct and indirect jobs would be supported locally, with another 4,581 positions supported at the state level and 9,043 national jobs supported. The project will have an annual economic impact of \$701 million to southern Arizona, a \$900 million impact to the state of Arizona and \$1.3 billion impact to the United States.

These numbers speak for themselves.

The Mr. Kally

The Arizona Pipe Trades Local 469 will strongly support any project that will create high-quality union construction jobs. As the construction sector recovers in Arizona, we cannot afford to pass up an opportunity as promising as the Rosemont Mine.

The jobs created by the Rosemont Mine will require crafts men and women with the highest level of training. Our members are required to graduate from the UA International's certified and accredited Joint Apprenticeship Training Program, which produces the best journeymen in the industry. This five-year apprenticeship program requires apprentices to have more than 10,000 hours of on-the-job training and more than 1,200 hours of classroom education.

The USFS has issued draft Record of Decision in December and it included mitigation measures that were developed to avoid, minimize, rectify, reduce, eliminate or compensate for the impacts that the preferred action alternative, the "Barrel Alternative," would have on the environment.

The USFS conducted a rigorous six-year-long process to evaluate the mine. We cannot afford to wait any longer for this project – the time is now to move forward.

Yours,

Phil McNally Business Manager



1501 South La Cañada Drive • Green Valley, Arizona 85622-1600 Phone: (520) 625-8409 • Fax: (520) 625-1951

www.communitywater.com

February 24, 2014 *CN C8744d*

Colonel Kimberly M. Colloton, PMP Los Angeles District U.S. Army Corps of Engineers 915 Wilshire Blvd. Los Angeles, CA 90017

RE: Public Interest Served by the Rosemont Copper Project

Dear Colonel Colloton,

The permitting process for the Rosemont Copper Project has stretched out to six-years and is nearing completion for the Section 404 permit. Any public process of this duration can encounter scope creep and entrenched positions that result in the voicing of strong negative positions and loss of direction for the process. It is also easy to lose sight of important positive project benefits. I would like to share with you a substantial public interest benefiting from this project.

Community Water Company of Green Valley is an Arizona nonprofit corporation with members that serves more than 12,000 active residential units in Green Valley and Sahuarita; two communities south of Tucson, Arizona. Augusta Resource Corporation, parent company of Rosemont Copper, is funding construction of a major water pipeline project to deliver Community Water's Central Arizona Project water allotment to the communities of Green Valley and Sahuarita.

This eight-mile pipeline will save our communities an estimated \$25 million for pipeline construction and delivers our Central Arizona Project water to offset demands on the local aquifer. Rosemont Copper has voluntary committed to use the pipeline for recharging 105 percent of the water it withdraws from the local aquifer, and to date is the only industrial or agricultural interest in our region to do so. This pipeline project serves our critical life sustaining public interest in water by taking the first step in developing a sustainable public water supply for our communities.

Sincerely,

Virgil W. Davis

Chair Board of Directors

Cc: The Honorable Tom Vilsack
The Honorable John McHugh

The Honorable Jo-Ellen Darcy
The Honorable Gina McCarthy

Mr. Michael Boots

From: Brush, Jason

Sent: Thursday, March 06, 2014 3:02 PM **To:** 'Patrick Cunningham'; Diamond, Jane

Cc: Leidy, Robert; Campbell, Rich; Blaine, Marjorie E SPL

Subject: Rosemont call notes

Patrick – Just wanted to take this opportunity while it's fresh to thank you for the call, and provide a few brief bullet points in summary for Jane's benefit.

- Rosemont is interested in what "voluntary measures" might be taken to mitigate concerns EPA has addressed.
- EPA reiterated that we only seek mitigation required under the applicable law and regulations. The Corps expressed concerns on how any theoretical voluntary measures could be enforced.
- The Corps and EPA agreed that the significant challenges facing Rosemont now regarding mitigating the direct impacts alone should be the priority.
- EPA and the Corps reiterated that we currently have no proposal to react to, but we
 described again the landscape impacts proposed, and the expectation of mitigation
 commensurate with that impact, consistent with guidance and regulation that we've
 frequently cited and described in our letters.
- The Corps reported that under their mitigation checklist, the Sonoita site proposed by Rosemont might provide ~2 acres of WUS mitigation credit against the ~40 ac WUS direct impacts of the mine.
- In addition to "watershed approach," we discussed the issue of preservation, and the factors needed to consider preservation acreage as mitigation, including whether the WUS on prospective preserves are under threat of loss.
- The Corps reiterated that State Trust Lands---both as a general class, and as a specific list identified by Pima county---have been up for exploration in conversations with them for a few years now. Although such lands remain conceptually "worth exploring," (in that they could potentially address issues of preservation risk and watershed functions), EPA and the Corps agreed that their potential use for mitigation at this late date is extremely challenging.
- EPA believes that, due to the time it would take to secure yet-to-be-indentified STL parcels, secure them, and develop a plan incorporating them into a WUS mitigation strategy, use of STL at this late date is not likely to be successful. For the Corps to issue a permit, it will not be acceptable to identify a parcel with the future promise of mitigation value; such a "plan" would not be final as defined by the Mitigation Rule.

Jason A. Brush Supervisor, Wetlands Office U.S. Environmental Protection Agency, Region 9



Janice K. Brewer Governor

EXECUTIVE OFFICE

March 4, 2014

Colonel Kimberly M. Colloton, PMP Los Angeles District U.S. Army Corps of Engineers 915 Wilshire Blvd. Los Angeles, CA 90017

Re: The Rosemont Copper Project and the Public Interest

Dear Colonel Colloton:

Please accept my sincere appreciation for the hard work your agency has devoted to the Rosemont Copper Project in Arizona. As you know, the United States Forest Service (Forest Service) has conducted a rigorous six year-long Environmental EIS process that involved approximately 20 public hearings and three local, nine state, five federal agencies and one tribal government as cooperating agencies. The Corps of Engineers has played an extensive, important role in this process with responsibility for Section 404 permitting under the Clean Water Act, and now it has come to my attention that the Army Corps of Engineers (Army Corps) is nearing a final decision on the Section 404 permit for the Rosemont Project. And so, I write today to express the official State of Arizona position on this project under the Army Corps regulations at 33 Code of Federal Regulations Section 320.4(j)(3) and (2).

I am convinced that the public interest will be advanced by approval of the Rosemont Copper Project and the issuance of its Section 404 permit by the Army Corps. Many of the agencies in my cabinet have completed their work on this project and issued protective permits. For example, the Department of Environmental Quality has issued both a Clean Air Permit and an Aquifer Protection Permit. The State Land Department has worked to ensure the utility corridor on state land meets cultural resource standards, and the State Historic Preservation Officer has been involved in protecting Arizona's cultural resources throughout the entire project and will sign the Memorandum of Agreement to ensure it. Finally, the Game and Fish Department has entered into an Agreement in Principle with Rosemont, in which Rosemont will fund land, water and habitat conservation measures.

For its part, the Forest Service has acted on mitigation measures and has issued a draft Record of Decision in December, that included mitigation measures that were developed to minimize,

Colonel Kimberly M. Colloton, PMP March 4, 2014 Page 2 of 2

eliminate or compensate for the impacts that the preferred action alternative, the "Barrel Alternative," would have on the environment.

Finally, the Rosemont Copper Project will play a key role in Arizona's Comeback from the Great Recession that hit us so hard. During the mine's first 20 years, 2,900 annual direct and indirect jobs would be supported locally, with another 4,581 positions supported at the state level and 9,043 jobs at the national level. The project will have an annual economic impact of \$701 million to southern Arizona, a \$900 million impact to the State of Arizona and \$1.3 billion impact to the United States. When in production, the mine will account for about 10 percent of U.S. copper production. This dramatic economic growth will serve the public interest, and is specifically recognized in the Army Corps regulations at 33 CFR Section 320.4(q) as contributing to the public interest.

I commend you and your colleagues for a strong commitment to a thorough and credible permit process. I encourage you to complete the 404 permit and issue it as expeditiously as possible.

Sincerely,

Janice K. Brewer

Governor

cc: The Honorable Tom Vilsack

The Honorable John McHugh The Honorable Jo-Ellen Darcy

The Honorable Gina McCarthy

Michael Boots

From: <u>Greczmiel, Horst</u>
To: <u>Goforth, Kathleen</u>

Cc: <u>Dunning, Connell; Hanf, Lisa</u>

Subject: RE: Invitation to Rosemont Mine Meeting Feb 28, 3pm: RSVP requested cob Feb 25

Date: Tuesday, February 25, 2014 2:54:01 AM

Thank you, I'll add both Connell and Lisa to the regular Friday calls. The number of participants at the Feb 28 meeting is limited - shall I add Connell or Lisa to that meeting?

From: Goforth, Kathleen [mailto:Goforth.Kathleen@epa.gov]

Sent: Monday, February 24, 2014 3:56 PM

To: Greczmiel, Horst

Cc: Dunning, Connell; Hanf, Lisa

Subject: Re: Invitation to Rosemont Mine Meeting Feb 28, 3pm: RSVP requested cob Feb 25

Horst -

Please add Connell Dunning and Lisa Hanf to your Rosemont email list and copy them on any messages that you would ordinarily copy me on. I will be on annual leave for 1 month, starting tomorrow. Connell will be acting for me, and she will be working closely with our Assistant Division Director Lisa Hanf on the Rosemont project. I will be in South America, unable to access my email; therefore, I will not be able to forward messages to them.

Thank you-

- Kathy

From: Greczmiel, Horst (b) (6)

Sent: Monday, February 24, 2014 10:49:32 AM

To: Robert Bonnie (robert.bonnie@osec.usda.gov); Tom Tidwell; Cal Joyner (cjoyner@fs.fed.us); Jim Upchurch (jupchurch01@fs.fed.us); Giles-AA, Cynthia; Kopocis, Ken; Blumenfeld, Jared; Kimberly Colloton (kimberly.m.colloton@usace.army.mil); marie.t.dominguez2.civ@mail.mil; Tommy_Beaudreau@ios.doi.gov)

Cc: Crook, Lowry; Bromm, Susan; Rader, Cliff; Brush, Jason; Goforth, Kathleen; Ann Acheson - CEQ (aacheson@fs.fed.us); Tony Tooke (ttooke@fs.fed.us); Castanon, David J SPL; Marjorie Blaine (Marjorie.E.Blaine@usace.army.mil); Ray Suazo (rmsuazo@blm.gov); Ed Roberson (edwin_roberson@blm.gov); Chip Smith (Charles.R.Smith567.civ@mail.mil); Willie Taylor (willie_taylor@ios.doi.gov)

Subject: Invitation to Rosemont Mine Meeting Feb 28, 3pm: RSVP requested cob Feb 25

Good afternoon,

CEQ invites you to participate in a meeting CEQ is convening to discuss the path forward for the federal decisions on the proposed Rosemont Mine—a proposed mine in AZ located on USFS managed lands. CEQ has been regularly convening meetings with senior staff, including meeting in Tucson AZ last month. (b)(5) - deliberative

(b)(5) - deliberative

Please RSVP by close of business February 25th and if you are unable to attend please let me know who on your staff we can work with on scheduling.

Thank you,

Horst Greczmiel Associate Director for NEPA Oversight Council on Environmental Quality

(b) (6)

À

From: Greczmiel, Horst Blumenfeld, Jared To:

Subject: RE: Reminder, Please RSVP RE: Invitation to Rosemont Mine Meeting Feb 28, 3pm: RSVP requested cob Feb 25

Date: Thursday, February 27, 2014 6:00:13 AM

TY!

Horst Greczmiel

Associate Director for NEPA Oversight Council on Environmental Quality



Please consider the environment before printing this e-mail

From: Gaudario, Abigail [mailto:Gaudario.Abigail@epa.gov] On Behalf Of Blumenfeld, Jared

Sent: Wednesday, February 26, 2014 2:17 PM

To: Greczmiel, Horst

Subject: RE: Reminder, Please RSVP RE: Invitation to Rosemont Mine Meeting Feb 28, 3pm: RSVP

requested cob Feb 25

I accepted for Jared. - abi

Abigail Gaudario

Office of the Regional Administrator US EPA, Pacific Southwest Region 9 75 Hawthorne San Francisco, CA 94105

(415) 947-4238

(415) 947-3588 - fax

gaudario.abigail@epa.gov

From: Greczmiel, Horst [mailto: 6) (6)
Sent: Wednesday, February 26, 2014 6:21 AM

To: Robert Bonnie (robert.bonnie@osec.usda.gov); 'Tom Tidwell'; Cal Joyner (cjoyner@fs.fed.us); Jim Upchurch (jupchurch01@fs.fed.us); Giles-AA, Cynthia; Kopocis, Ken; Blumenfeld, Jared; Kimberly Colloton (kimberly.m.colloton@usace.army.mil); 'marie.t.dominquez2.civ@mail.mil'; Tommy Beaudreau (Tommy Beaudreau@ios.doi.gov)

Cc: Crook, Lowry; Bromm, Susan; Rader, Cliff; Brush, Jason; Goforth, Kathleen; Ann Acheson - CEQ (aacheson@fs.fed.us); Tony Tooke (ttooke@fs.fed.us); Castanon, David J SPL; Marjorie Blaine (Marjorie.E.Blaine@usace.army.mil); Ray Suazo (rmsuazo@blm.gov); Ed Roberson (edwin_roberson@blm.gov); Chip Smith (Charles.R.Smith567.civ@mail.mil); Willie Taylor (willie taylor@ios.doi.gov)

Subject: Reminder, Please RSVP RE: Invitation to Rosemont Mine Meeting Feb 28, 3pm: RSVP requested

cob Feb 25

Importance: High

Please RSVP at your earliest convenience. We will reschedule if the key agencies are unable to attend.

Horst Greczmiel Associate Director for NEPA Oversight Council on Environmental Quality

(b) (6)



Please consider the environment before printing this e-mail

From: Greczmiel, Horst

Sent: Monday, February 24, 2014 1:50 PM

To: Robert Bonnie (robert.bonnie@osec.usda.gov); Tom Tidwell; Cal Joyner (cjoyner@fs.fed.us); Jim Upchurch (jupchurch01@fs.fed.us); Cynthia Giles (Giles-AA.Cynthia@epamail.epa.gov); Ken Kopocis (Kopocis.Ken@epa.gov); Jared Blumenfeld (blumenfeld.jared@epa.gov); Kimberly Colloton (kimberly.m.colloton@usace.army.mil); <a href="mailto:mai

Cc: Crook, Lowry; Susan Bromm (Bromm.Susan@epamail.epa.gov); Cliff Rader (rader.cliff@epa.gov); Brush, Jason (Brush.Jason@epa.gov); Kathy Goforth (Goforth.Kathleen@epa.gov); Ann Acheson - CEQ (aacheson@fs.fed.us); Tony Tooke (ttooke@fs.fed.us); Castanon, David J SPL; Marjorie Blaine (Marjorie.E.Blaine@usace.army.mil); Ray Suazo (rmsuazo@blm.gov); Ed Roberson (edwin_roberson@blm.gov); Chip Smith (Charles.R.Smith567.civ@mail.mil); Willie Taylor (willie_taylor@ios.doi.gov)

Subject: Invitation to Rosemont Mine Meeting Feb 28, 3pm: RSVP requested cob Feb 25

Importance: High

Good afternoon,

CEQ invites you to participate in a meeting CEQ is convening to discuss the path forward for the federal decisions on the proposed Rosemont Mine—a proposed mine in AZ located on USFS managed lands. CEQ has been regularly convening meetings with senior staff, including meeting in Tucson AZ last month. (b)(5) - deliberative

Please RSVP by close of business February 25th and if you are unable to attend please let me know who on your staff we can work with on scheduling.

Thank you,

Horst Greczmiel
Associate Director for NEPA Oversight
Council on Environmental Quality

(b) (6)



From: <u>Greczmiel, Horst</u>
To: <u>Dunning, Connell</u>

Cc: Hanf, Lisa; Brush, Jason; Martynowicz, Trina; Ryerson. Teddy

Subject: RE: Reminder, Please RSVP RE: Invitation to Rosemont Mine Meeting Feb 28, 3pm: RSVP requested cob Feb 25

Date: Thursday, February 27, 2014 6:05:24 AM

Lisa and Connell are on the list for regular calls - there is no regular call 28Feb.

The call on 28Feb is a policy level call and Jared (confirmed) has a "+2" which I understand to be Jason (confirmed) and another (Lisa or Connell?).

Horst Greczmiel
Associate Director for NEPA Oversight
Council on Environmental Quality

Please consider the environment before printing this e-mail

----Original Message----

From: Dunning, Connell [mailto:Dunning.Connell@epa.gov]

Sent: Wednesday, February 26, 2014 1:46 PM

To: Greczmiel, Horst

Cc: Hanf, Lisa; Brush, Jason; Martynowicz, Trina; Ryerson. Teddy

Subject: FW: Reminder, Please RSVP RE: Invitation to Rosemont Mine Meeting Feb 28, 3pm: RSVP requested cob

Feb 25

Importance: High

Horst,

Please add my name and Lisa Hanf's name to all correspondence that you send regarding Rosemont. It is critical that we each receive emails since Kathy Goforth is out for the next month. Jared relies on Lisa and me to highlight important meetings for the NEPA process and I can't do so without getting the emails.

Also, your previous cancellation of the Regular Friday call for Feb. 28th, along with a planned invite for a call at the same time has confused several folks here.

I am confirming that it is your intention to attempt to hold the Senior Staff/High Level call this Friday at 3:00 pm EST? I will reiterate to Jared the need for him to RSVP for this Senior Staff/High Level call since he may be assuming the Friday call is cancelled due to the previous email.

Thanks, Connell

Connell Dunning
Environmental Review Office
US EPA Region IX, Pacific Southwest
75 Hawthorne St (ENF-4-2), SF, CA 94105
dunning.connell@epa.gov

phone - 415-947-4161 fax- 415-947-8026

----Original Message-----From: Brush, Jason

Sent: Wednesday, February 26, 2014 7:57 AM

To: Dunning, Connell

Subject: Fw: Reminder, Please RSVP RE: Invitation to Rosemont Mine Meeting Feb 28, 3pm: RSVP requested cob

Feb 25

Importance: High

* sigh * #confused

From: Greczmiel, Horst (b) (6)

Sent: Wednesday, February 26, 2014 6:21:23 AM

To: Robert Bonnie (robert.bonnie@osec.usda.gov); 'Tom Tidwell'; Cal Joyner (cjoyner@fs fed.us); Jim Upchurch (jupchurch01@fs.fed.us); Giles-AA, Cynthia; Kopocis, Ken; Blumenfeld, Jared; Kimberly Colloton (kimberly m.colloton@usace.army.mil); 'marie.t.dominguez2.civ@mail mil'; Tommy Beaudreau (Tommy_Beaudreau@ios.doi.gov)

Cc: Crook, Lowry; Bromm, Susan; Rader, Cliff; Brush, Jason; Goforth, Kathleen; Ann Acheson - CEQ (aacheson@fs.fed.us); Tony Tooke (ttooke@fs fed.us); Castanon, David J SPL; Marjorie Blaine (Marjorie.E.Blaine@usace.army.mil); Ray Suazo (rmsuazo@blm.gov); Ed Roberson (edwin roberson@blm.gov); Chip Smith (Charles.R.Smith567.civ@mail mil); Willie Taylor (willie_taylor@ios.doi.gov) Subject: Reminder, Please RSVP RE: Invitation to Rosemont Mine Meeting Feb 28, 3pm: RSVP requested cob Feb 25

Please RSVP at your earliest convenience. We will reschedule if the key agencies are unable to attend.

Horst Greczmiel Associate Director for NEPA Oversight Council on Environmental Quality



Please consider the environment before printing this e-mail

From: Greczmiel, Horst

Sent: Monday, February 24, 2014 1:50 PM

To: Robert Bonnie (robert.bonnie@osec.usda.gov); Tom Tidwell; Cal Joyner (cjoyner@fs.fed.us); Jim Upchurch (jupchurch01@fs.fed.us); Cynthia Giles (Giles-AA.Cynthia@epamail.epa.gov); Ken Kopocis (Kopocis.Ken@epa.gov); Jared Blumenfeld (blumenfeld.jared@epa.gov); Kimberly Colloton (kimberly m.colloton@usace.army.mil); marie.t.dominguez2.civ@mail mil; Tommy Beaudreau (Tommy_Beaudreau@ios.doi.gov)

Cc: Crook, Lowry; Susan Bromm (Bromm.Susan@epamail.epa.gov); Cliff Rader (rader.cliff@epa.gov); Brush, Jason (Brush.Jason@epa.gov); Kathy Goforth (Goforth.Kathleen@epa.gov); Ann Acheson - CEQ (aacheson@fs.fed.us); Tony Tooke (ttooke@fs fed.us); Castanon, David J SPL; Marjorie Blaine (Marjorie.E.Blaine@usace.army.mil); Ray Suazo (rmsuazo@blm.gov); Ed Roberson (edwin_roberson@blm.gov); Chip Smith (Charles.R.Smith567.civ@mail mil); Willie Taylor (willie taylor@ios.doi.gov) Subject: Invitation to Rosemont Mine Meeting Feb 28, 3pm: RSVP requested cob Feb 25 Importance: High

Good afternoon,

CEQ invites you to participate in a meeting CEQ is convening to discuss the path forward for the federal decisions on the proposed Rosemont Mine- a proposed mine in AZ located on USFS managed lands. CEQ has been regularly convening meetings with senior staff, including meeting in Tucson AZ last month. The senior stall meetings have identified the alignment of the USFS ROD and Corps 404 permit decisions as the key matter calling for policy level awareness and input.

The purpose of the Friday meeting is to set out the current status of the USFS and USACE decision making processes and then discuss options for better aligning the upcoming USFS Record of Decision and Corps 404 permitting determinations.

Please RSVP by close of business February 25th and if you are unable to attend please let me know who on your staff we can work with on scheduling.

Thank you,

Horst Greczmiel Associate Director for NEPA Oversight Council on Environmental Quality



P

From: <u>Greczmiel, Horst</u>
To: <u>Jessop, Carter</u>

Cc: Dunning, Connell; Hanf, Lisa; Goforth, Kathleen; Rader, Cliff; Brush, Jason

Subject: RE: USEPA Region 9 Timelines for Rosemont - as requested

Date: Tuesday, February 25, 2014 2:42:24 AM

Thank you.

Horst Greczmiel

Associate Director for NEPA Oversight Council on Environmental Quality





Please consider the environment before printing this e-mail

From: Jessop, Carter [mailto:JESSOP.CARTER@EPA.GOV]

Sent: Monday, February 24, 2014 9:22 PM

To: Greczmiel, Horst

Cc: Dunning, Connell; Hanf, Lisa; Goforth, Kathleen; Rader, Cliff; Brush, Jason

Subject: USEPA Region 9 Timelines for Rosemont - as requested

Horst,

As you requested, below are the known and potential timelines currently in front of EPA with regard to the Rosemont Copper Project.

Clean Water Act Section 401 Certification:

February 21 – Draft 401 Cert published and opened for public comment

March 24 – EPA to submit comments on draft 401 (this date is also the close of the public comment period)

CEQ Referral Process:

This timeline is hypothetical. The referral process could total up to 135 days (as outlined at 40CFR 1504.3).

Date ? – USFS informs EPA of the start of the 25 day referral period

25 days thereafter – EPA sends letters to CEQ and US Department of Agriculture informing them that the action is being referred

25 days – USFS can grant themselves up to 25 days to respond to EPA's referral

25 days – CEQ reviews EPA referral package and USFS response

Up to 60 days – CEQ can take up to 60 days to take one of the actions listed at 40CFR 1504.3(f)

404(q) Elevation Process:

The process totals 80 days pursuant to Corps-EPA MOA. The MOA has no provision for extensions. The start date is set by the Corps' decision to issue a 404 permit.

5 days prior to issuing a permit, the Corps District must provide a Notice of Intent (NOI), draft permit

and draft Decision Document to the EPA Regional Administrator.

15 days – Considering these draft documents, the RA has 15 days to decide whether to recommend that EPA HQ seek Corps HQ review of the decision.

20 days – If the RA makes such a request and the Associate Administrator for Water agrees, she has 20 days to make such a request of her counterparts at Corps HQ (the Assistant Secty. Army for Civil Works).

30 days – The Corps ASA then has 30 days to notify EPA whether and how they might intercede with the local Corps District's decision.

10 days – If the ASA's path forward is not acceptable to EPA, the permit will be held in abeyance a final 10 days while EPA determines whether to initiate the 404(C) veto process.

Please let me know if there is any further information you need that I can provide.

Thank you.

- Carter Jessop

Carter W. Jessop U.S. EPA, Region 9 Environmental Review Office (CED-2) 75 Hawthorne Street San Francisco, CA 94105 (415) 972-3815 jessop.carter@epa.gov From: <u>Greczmiel, Horst</u>
To: <u>Hanf, Lisa</u>

Cc: <u>Dunning, Connell; Goforth, Kathleen</u>

Subject: Re: Invitation to Rosemont Mine Meeting Feb 28, 3pm: RSVP requested cob Feb 25

Date: Tuesday, February 25, 2014 9:50:58 AM

Lisa,

I've added you and Connell to the regular Friday calls - there won't be a call this Friday. I'll stand by to hear what Jared says.

Thanks, Horst

From: Hanf, Lisa [mailto:Hanf.Lisa@epa.gov]

Sent: Tuesday, February 25, 2014 12:28 PM Eastern Standard Time

To: Greczmiel, Horst

Cc: Dunning, Connell <Dunning.Connell@epa.gov>; Goforth, Kathleen <Goforth.Kathleen@epa.gov> **Subject**: RE: Invitation to Rosemont Mine Meeting Feb 28, 3pm: RSVP requested cob Feb 25

Hi Horst. Please add both Connell and me to your distribution list, so we can ensure appropriate EPA Region 9 coverage on these calls. We will consult with Jared to see who should attend with him on February 28. Thank you.

Lisa B. Hanf, Assistant Director Strategic Planning, Enforcement Division U.S. Environmental Protection Agency - Region 9 (415) 972-3854

From: Greczmiel, Horst [mailto: (b) (6)

Sent: Tuesday, February 25, 2014 2:54 AM

To: Goforth, Kathleen

Cc: Dunning, Connell; Hanf, Lisa

Subject: RE: Invitation to Rosemont Mine Meeting Feb 28, 3pm: RSVP requested cob Feb 25

Thank you, I'll add both Connell and Lisa to the regular Friday calls. The number of participants at the Feb 28 meeting is limited - shall I add Connell or Lisa to that meeting?

From: Goforth, Kathleen [mailto:Goforth.Kathleen@epa.gov]

Sent: Monday, February 24, 2014 3:56 PM

To: Greczmiel, Horst

Cc: Dunning, Connell; Hanf, Lisa

Subject: Re: Invitation to Rosemont Mine Meeting Feb 28, 3pm: RSVP requested cob Feb 25

Horst -

Please add Connell Dunning and Lisa Hanf to your Rosemont email list and copy them on any messages that you would ordinarily copy me on. I will be on annual leave for 1 month, starting tomorrow. Connell will be acting for me, and she will be working closely with our Assistant Division Director Lisa Hanf on the Rosemont project. I will be in South America, unable to access my email; therefore, I will not be able to forward messages to them.

Thank you-

- Kathy

From: Greczmiel, Horst (b) (6)

Sent: Monday, February 24, 2014 10:49:32 AM

To: Robert Bonnie (robert.bonnie@osec.usda.gov); Tom Tidwell; Cal Joyner (cjoyner@fs.fed.us); Jim Upchurch (jupchurch01@fs.fed.us); Giles-AA, Cynthia; Kopocis, Ken; Blumenfeld, Jared; Kimberly Colloton (kimberly.m.colloton@usace.army.mil); marie.t.dominguez2.civ@mail.mil; Tommy_Beaudreau@ios.doi.gov)

Cc: Crook, Lowry; Bromm, Susan; Rader, Cliff; Brush, Jason; Goforth, Kathleen; Ann Acheson - CEQ (aacheson@fs.fed.us); Tony Tooke (ttooke@fs.fed.us); Castanon, David J SPL; Marjorie Blaine (Marjorie.E.Blaine@usace.army.mil); Ray Suazo (rmsuazo@blm.gov); Ed Roberson (edwin_roberson@blm.gov); Chip Smith (Charles.R.Smith567.civ@mail.mil); Willie Taylor (willie_taylor@ios.doi.gov)

Subject: Invitation to Rosemont Mine Meeting Feb 28, 3pm: RSVP requested cob Feb 25

Good afternoon,

CEQ invites you to participate in a meeting CEQ is convening to discuss the path forward for the federal decisions on the proposed Rosemont Mine—a proposed mine in AZ located on USFS managed lands. CEQ has been regularly convening meetings with senior staff, including meeting in Tucson AZ last month. The senior stall meetings have identified the alignment of the USFS ROD and Corps 404 permit decisions as the key matter calling for policy level awareness and input.

The purpose of the Friday meeting is to set out the current status of the USFS and USACE decision making processes and then discuss options for better aligning the upcoming USFS Record of Decision and Corps 404 permitting determinations.

Please RSVP by close of business February 25th and if you are unable to attend please let me know who on your staff we can work with on scheduling.

Thank you,

Horst Greczmiel Associate Director for NEPA Oversight Council on Environmental Quality



From: <u>Greczmiel, Horst</u>

To: Robert Bonnie (robert.bonnie@osec.usda.gov); "Tom Tidwell"; Cal Joyner (cjoyner@fs.fed.us); Jim Upchurch

(jupchurch01@fs.fed.us); Giles-AA, Cynthia; Kopocis, Ken; Blumenfeld, Jared; Kimberly Colloton (kimberly.m.colloton@usace.army.mil); "marie.t.dominguez2.civ@mail.mil"; Tommy Beaudreau

(Tommy Beaudreau@ios.doi.gov)

Cc: Crook, Lowry; Bromm, Susan; Rader, Cliff; Brush, Jason; Goforth, Kathleen; Ann Acheson - CEQ

<u>(aacheson@fs.fed.us)</u>; <u>Tony Tooke (ttooke@fs.fed.us)</u>; <u>Castanon, David J SPL</u>; <u>Marjorie Blaine</u>

(Marjorie.E.Blaine@usace.army.mil); Ray Suazo (rmsuazo@blm.gov); Ed Roberson (edwin roberson@blm.gov);

Chip Smith (Charles.R.Smith567.civ@mail.mil); Willie Taylor (willie taylor@ios.doi.gov)

Subject: Reminder, Please RSVP RE: Invitation to Rosemont Mine Meeting Feb 28, 3pm: RSVP requested cob Feb 25

Date: Wednesday, February 26, 2014 6:21:29 AM

Please RSVP at your earliest convenience. We will reschedule if the key agencies are unable to attend.

Horst Greczmiel Associate Director for NEPA Oversight Council on Environmental Quality





Please consider the environment before printing this e-mail

From: Greczmiel, Horst

Sent: Monday, February 24, 2014 1:50 PM

To: Robert Bonnie (robert.bonnie@osec.usda.gov); Tom Tidwell; Cal Joyner (cjoyner@fs.fed.us); Jim Upchurch (jupchurch01@fs.fed.us); Cynthia Giles (Giles-AA.Cynthia@epamail.epa.gov); Ken Kopocis (Kopocis.Ken@epa.gov); Jared Blumenfeld (blumenfeld.jared@epa.gov); Kimberly Colloton (kimberly.m.colloton@usace.army.mil); marie.t.dominguez2.civ@mail.mil; Tommy Beaudreau (Tommy_Beaudreau@ios.doi.gov)

Cc: Crook, Lowry; Susan Bromm (Bromm.Susan@epamail.epa.gov); Cliff Rader (rader.cliff@epa.gov); Brush, Jason (Brush.Jason@epa.gov); Kathy Goforth (Goforth.Kathleen@epa.gov); Ann Acheson - CEQ (aacheson@fs.fed.us); Tony Tooke (ttooke@fs.fed.us); Castanon, David J SPL; Marjorie Blaine (Marjorie.E.Blaine@usace.army.mil); Ray Suazo (rmsuazo@blm.gov); Ed Roberson (edwin_roberson@blm.gov); Chip Smith (Charles.R.Smith567.civ@mail.mil); Willie Taylor (willie_taylor@ios.doi.gov)

Subject: Invitation to Rosemont Mine Meeting Feb 28, 3pm: RSVP requested cob Feb 25

Importance: High

Good afternoon,

CEQ invites you to participate in a meeting CEQ is convening to discuss the path forward for the federal decisions on the proposed Rosemont Mine—a proposed mine in AZ located on USFS managed lands. CEQ has been regularly convening meetings with senior staff, including meeting in Tucson AZ last month. (6) (6)

(b) (5)

Please RSVP by close of business February 25th and if you are unable to attend please let me know who on your staff we can work with on scheduling.

Thank you,

Horst Greczmiel Associate Director for NEPA Oversight Council on Environmental Quality





Greczmiel, Horst Gaudario, Abigail From: To: Rosemont Call Subject:

2013-03-04 Letter to Colonel Colloton.pdf 28 Feb SPL Ltr to Rosemont.pdf Attachments:

Agenda:

Updates on: 1. (b)(5) -



March 4, 2014

Colonel Kimberly M. Colloton, PMP U.S. Army Corps of Engineers 915 Wilshire Blvd. Los Angeles, CA 90017

Dear Colonel Colloton:

Thank you for your February 28, 2014 letter in which you reaffirmed the Corps' commitment to make a timely decision on Rosemont Copper's application for a 404 permit in conjunction with its plans to develop an open pit copper mine in Pima County, Arizona. We are preparing, and will submit, the comprehensive mitigation plan you requested no later than April 1, 2014.

Thank you also for your visit, along with several members of your staff, to the proposed mine site on January 29, 2014. It was indicative of the seriousness and professionalism with which the Corps approaches its important responsibility of administering the 404 program. We also appreciate the efforts of Ms. Marjorie Blaine, Senior Regulatory Project Manager, who has diligently worked to assist us for over two years.

We appreciate the comments regarding the potential of mitigation credits available for purchase from the Pima County Regional Flood Control District/ Tucson Audobon Society ILF Project. We will pursue the possibility of purchasing those credits should they become available, however, we are not confident in respect to that availability and have moved on with a permittee responsible approach that we suggest is more viable.

In your letter, you noted that the Corps "has suggested other potential mitigation opportunities for Rosemont to investigate." So there is no misunderstanding, we note that we are only aware of two such suggestions—the Pantano Dam ILF and adjustments to Sonoita Creek Ranch project—, both of which we have vigorously pursued. If the Corps has other suggestions about potential mitigation opportunities, we would welcome hearing about them.

Finally, your letter states that Rosemont's mitigation proposals to date have "unfortunately" included "more acres of upland and riparian preservation, with some enhancement, than acres of actual restoration/enhancement of WUS." For the record, we respectfully disagree with that characterization of our mitigation proposals, and to the extent that it may be based on a misunderstanding of the proposals, we will continue working closely with Ms. Blaine and other Corps staff to provide the necessary clarification. In addition, we want to assure you that we

Office: (520) 495-3500

Fax: (520) 495-3540



are fully aware of the need to provide adequate "restoration/enhancement of WUS" in our mitigation plan.

To complete the final work for the mitigation efforts we have assigned a team of internal and external experts. Timely input from the Corp is critical in the final process and I would ask the Corps assign additional staff who could be dedicated to reviewing and returning comments in a timely manner.

Sincerely,

Rod Pace

President/CEO

Rosemont Copper Company

Doc. No. 012/13-15.3.1



DEPARTMENT OF THE ARMY

LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS 915 WILSHIRE BOULEVARD, SUITE 930 LOS ANGELES, CALIFORNIA 90017

Office of the Commander and District Engineer

28 Fab 2814

Mr. Rod Pace President/CEO Rosemont Copper Company PO Box 35130 Tucson, Arizona 85740

Dear Mr. Pace:

I am writing in regard to the proposed Rosemont Open Pit Copper Mine for which Rosemont Copper Company (Rosemont) has submitted an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act to discharge fill material into waters of the U.S. (WUS) within the Barrel Canyon watershed, near Tucson, Pima County, Arizona.

I appreciated the opportunity to meet with you and your team on January 29, 2014 and visit the proposed mine site. As part of the site visit, Rosemont presented preliminary information regarding potential mitigation to offset environmental losses resulting from unavoidable impacts to approximately 68.8 acres of WUS associated with the proposed discharges of fill material.

As you are aware, our Senior Regulatory Project Manager, Ms. Marjorie Blaine, has worked diligently with Ms. Kathy Arnold and Rosemont's consultants, WestLand Resources, for approximately two years meeting initially monthly, and subsequently, weekly for the past year. The primary focus of these meetings has been in regard to the development of potential compensatory mitigation to offset the impacts to WUS.

While I understand there was, for a period of time, a good possibility that a new in-lieu fee (ILF) mitigation plan at Pantano Dam, along with associated water rights, had the greatest potential to provide a majority of credits needed to offset the impacts of the proposed discharges, other sites (Sonoita Creek Ranch and Fullerton Ranch) were retained as options to provide additional mitigation credits. The current Pima County Regional Flood Control District/Tucson Audubon Society ILF program also has a small number of available advance credits that could be purchased if the ILF sponsor is willing to sell them. Unfortunately, the new ILF mitigation plan for Pantano Dam was withdrawn by the ILF sponsor on December 30, 2013.

Since that time, Ms. Blaine has conveyed the urgency and importance of Rosemont developing sole permittee responsible mitigation which complies with the "Mitigation Rule" codified at 33 C.F.R. Part 332 and 40 C.F.R. Part 230. In accordance with 33 C.F.R. §

332.3(a)(2), Ms. Blaine articulated it is imperative Rosemont focus on restoration/enhancement of WUS to offset the direct loss of 40 acres of WUS, and has suggested other potential mitigation opportunities for Rosemont to investigate. Unfortunately, Rosemont has continued to present mitigation plans which provide more acres of upland and riparian preservation, with some enhancement, than acres of actual restoration/enhancement of WUS.

The U.S. Forest Service (USFS) plans to issue its final Record of Decision (ROD) after the conclusion of their NEPA Objection Process. As a cooperating agency, the Corps has worked closely with the USFS to ensure the EIS and the Section 404 permit processes were concurrent. It is my desire and plan to complete a ROD regarding the Department of the Army permit application by June 30, 2014.

I plan to advise the USFS by April 16, 2014, as to whether adequate compensatory mitigation exists to offset the unavoidable impacts to WUS. To this end, in accordance with 33 C.F.R. § 332.4(c)(1)), I am requesting that Rosemont submit a detailed compensatory mitigation plan that addresses the items described at 33 C.F.R. § 332.4(c)(12) through (c)(14) by April 1, 2014.

In the interim time, Ms. Blaine will continue to work closely with Ms. Arnold and WestLand Resources to ensure expedited review of conceptual plans and on calculating the amount of compensatory mitigation provided by such plans using the Corps' regional Mitigation Ratio Checklist process. She will also coordinate with the U.S. Environmental Protection Agency to allow that agency to review and comment on the components of the conceptual and detailed plans as they are developed.

I look forward to receiving your detailed mitigation plan. If you have any questions, please contact Ms. Blaine at (520) 584-1684 or Mr. David Castanon, my Regulatory Division Chief, at (805) 584-2141. A copy of this letter is being furnished to Mr. Jim Upchurch, U.S. Forest Service, Coronado National Forest, 300 W Congress St., Tucson AZ 85701 and Mr. Jason Brush, Wetlands Office, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne St., San Francisco, CA 94105.

Sincerely,

ikoberly M. Colloton, P.E.

olonel, US Army

Commander and District Engineer

From: Greczmiel, Horst

"Robert Bonnie (robert.bonnie@osec.usda.gov)"; "Tom Tidwell"; "Cal Joyner (cjoyner@fs.fed.us)"; "Jim Upchurch To:

(jupchurch01@fs.fed.us)"; Kopocis, Ken: Blumenfeld, Jared; "Kimberly Colloton (kimberly.m.colloton@usace.army.mil)"; "marie.t.dominguez2.civ@mail.mil"; "Tommy Beaudreau (Tommy Beaudreau@ios.doi.gov)"; "Ed Roberson (edwin roberson@blm.gov)"; Carl Rountree <u>Crook, Lowry; Rader, Cliff; Brush, Jason; "Ann Acheson - CEQ (aacheson@fs.fed.us)"; "Tony Tooke</u>

(ttooke@fs.fed.us)"; "Castanon, David J SPL"; "Marjorie Blaine (Marjorie E. Blaine@usace.army.mil)"; "Ray Suazo

(rmsuazo@blm.gov)"; "Chip Smith (Charles.R.Smith567.civ@mail.mil)"; "Jeanne.H.Imamura@usace.army.mil"

Subject: Rosemont Mine Meeting 3pm

Date: Friday, February 28, 2014 2:30:00 AM Attachments: Rosemont Mine Timelines Handout.docx

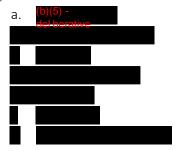
Attachment withheld (b) (5) deliberative

Good Morning,

Cc:

This message is being sent to the attendees of the CEQ hosted Federal agency Rosemont meeting being held today at 3pm eastern in the 722 Jackson Place conference room. A handout with information on process timelines is provided to facilitate our discussion of the path forward on the proposed Rosemont Mine.

Agenda:



For those outside DC, the call-in number and password are:



Regards, Horst

Horst Greczmiel Associate Director for NEPA Oversight Council on Environmental Quality



From: Greczmiel, Horst

To:

Robert Bonnie; Meryl Harrell; patrick.holmes@osec.usda.gov; Cal Joyner; Jim Upchurch; "Zepeda, Gilbert -FS"; "Higgins, Jeanne M -FS"; "Daniels, Janine -FS"; Patel-Weynand, Toral -FS; Ann Acheson - CEQ; Joe Carbone; Kopocis, Ken; Bromm, Susan; Rader, Cliff; Kaiser, Russell; Blumenfeld, Jared; Ryerson, Teddy; Goforth,

Kathleen; Dunning, Connell; Hanf, Lisa; Brush, Jason; Martynowicz, Trina; Gaudario, Abigail; "Blaine, Marjorie E SPL"; Castanon, David J SPL; Meg.E.Gaffney-Smith@usace.army.mil; Dave Sire; "Edwin Roberson"; "Raymond

Suazo"; Deborah Rawhouser; "June Shoemaker"; jean_calhoun@fws.gov

Cc: Crook, Lowry; Patel, Manisha Subject: Rosemont Regular Friday Call

Date: Tuesday, February 25, 2014 11:55:18 AM

We will not be holding our regular Friday call. The policy/senior staff meeting is being organized via a separate email.

Thank you, Horst

Horst Greczmiel Associate Director for NEPA Oversight Council on Environmental Quality

